

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Case No. 15-10541

PATRICIA MONET CONNER,

Honorable John Corbett O'Meara

Debtor.

PATRICIA MONET CONNER,

Plaintiff/Appellant,

v.

UNITED STATES DEPARTMENT OF
EDUCATION, *et. al.* ,

Defendants/Appellees.

ORDER

This matter came before the court on appellant Patricia Monet Conner's three motions filed March 23, 2015: Motion for Sealed Documents to be Accepted Under Seal and Included as a Designated Record on Appeal (Docket #7); Motion to Correct and Submit Supplemental Record on Appeal (Docket #8); and Motion for Stay Continuation [*sic*] Pending Appeal. Appellee Educational Credit Management Corporation filed responses March 27, 2015; and appellee Department of Education filed responses April 3, 2015. Appellant filed a reply brief to the motion to stay April 10, 2015. No oral argument was heard.

In this case the bankruptcy court previously ordered the trial transcript sealed. Bank. Adv. No. 13-05355, Docket # 185. Therefore, this court will grant the motion for sealed documents to be accepted under seal.

Appellant Conner also seeks to supplement the record on appeal by filing a transcript that was ordered by and paid for by Appellee(s). Rules 8009(a)(1)(A), (b)(1), and (b)(3)-(5) of the Federal Rules of Bankruptcy Procedure mandate that it is the appellant who has a duty to order a transcript, make satisfactory arrangements with the court reporter for paying the cost of the transcript, and include the transcript in the record to the extent the appellant intends to argue that a finding or conclusion of a bankruptcy court is unsupported or contrary to the evidence. Therefore, the court's granting of Appellant's motion to supplement the record is conditioned upon her ordering and paying for the transcript and not designating Appellee(s) copy of it.

Finally, Appellant Conner seeks a stay in order to get her IRS tax refund "to fund legal fees." Appellant's mot. at 1. Since the time for acquiring a tax refund has passed, the court deems Appellant's motion moot.

ORDER

It is hereby **ORDERED** that appellant Connor's Motion for Sealed Documents to be Accepted Under Seal and Included as a Designated Record on Appeal (Docket #7) is **GRANTED**.

It is further **ORDERED** that appellant Connor's Motion to Correct and Submit Supplemental Record on Appeal (Docket #8) is **GRANTED WITH THE CONDITIONS STATED IN THIS ORDER**.

It is further **ORDERED** that appellant Connor's Motion for Stay Continuation [*sic*] Pending Appeal is **DENIED AS MOOT**.

s/John Corbett O'Meara
United States District Judge

Date: October 1, 2015

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, October 1, 2015, using the ECF system and/or ordinary mail.

s/William Barkholz
Case Manager